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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,703	03/19/2007	Noel N. De Keyzer	L0014/US	2221

7590 10/29/2007  
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EXAMINER
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SCOTT, ANGELA C

ART UNIT	PAPER NUMBER
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4134

MAIL DATE	DELIVERY MODE
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10/29/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/589,703

Applicant(s)

DE KEYZER ET AL.

Examiner

Angela C. Scott

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 8-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 03/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by De Keyzer et al. (WO 02/057386).

Regarding claims 8 and 10-12, De Keyzer et al. teaches an adhesive composition (Pg. 1, line 2) comprising 100 parts by weight of a block copolymer (Pg. 8, lines 4-6) having a structure represented by A-C-A wherein A represents a polymer block of an aromatic vinyl compound and C is a mixed polymer block of butadiene and isoprene in a weight ratio butadiene:isoprene in the range of 30:70 to 70:30 (Pg. 4, lines 9-15). The aromatic vinyl compound is preferably styrene (Pg. 4, lines 20-25). The block copolymers according to the present invention each preferably have a weight average molecular weight ranging from 100,000 to 500,000 (Pg. 5, lines 21-24). The block copolymer have a bound styrene content of 10 to 50% by weight (Pg. 5, lines 7-8) and a coupling efficiency of from 81 to 87% (Pg. 19, Table 2). The composition additionally comprises from 50 to 400 parts by weight (Pg. 8, lines 28-29) of a hydrocarbon tackifying resin (Pg. 8, line 9), from 5 to 150 parts by weight of a plasticizer (Pg. 9, lines 16-20), and from 1 to 3

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parts by weight (Tables 9-12) of one or more auxiliaries such as antioxidants and other stabilizing ingredients (Pg. 9, lines 29-32).

Regarding claim 9, De Keyzer et al. additionally teaches that the vinyl content of butadiene is 8 weight percent and the vinyl content in isoprene is 5 weight percent (Pg. 19, Table 2).

Claims 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by De Keyzer et al. (WO 02/057386).

Regarding claims 13 and 15-18, De Keyzer et al. teaches disposable soft goods, such as diapers, feminine care articles and surgical drapes (Pg. 1, lines 10-14), which have a non-woven element (disposable diapers have these) and they are assembled using a hot melt adhesive composition (Pg. 1, lines 10-14). The adhesive composition comprises 100 parts by weight of a block copolymer (Pg. 8, lines 4-6) having a structure represented by A-C-A wherein A represents a polymer block of an aromatic vinyl compound and C is a mixed polymer block of butadiene and isoprene in a weight ratio butadiene:isoprene in the range of 30:70 to 70:30 (Pg. 4, lines 9-15). The aromatic vinyl compound is preferably styrene (Pg. 4, lines 20-25). The block copolymers according to the present invention each preferably have a weight average molecular weight ranging from 100,000 to 500,000 (Pg. 5, lines 21-24). The block copolymers have a bound styrene content of 10 to 50% by weight (Pg. 5, lines 7-8) and a coupling efficiency of from 81 to 87% (Pg. 19, Table 2). The composition additionally comprises from 50 to 400 parts by weight (Pg. 8, lines 28-29) of a hydrocarbon tackifying resin (Pg. 8, line 9), from 5 to 150 parts by weight of a plasticizer (Pg. 9, lines 16-20), and from 1 to 3 parts by weight (Tables 9-12)

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of one or more auxiliaries such as antioxidants and other stabilizing ingredients (Pg. 9, lines 29-32).

Regarding claim 14, De Keyzer et al. additionally teaches that the vinyl content of butadiene is 8 weight percent and the vinyl content in isoprene is 5 weight percent (Pg. 19, Table 2).

Claims 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by De Keyzer et al. (WO 02/057386).

Regarding claims 19-20, De Keyzer et al. teaches block copolymers having a structure represented by A-C-A wherein A represents a polymer block of an aromatic vinyl compound and C is a mixed polymer block of butadiene and isoprene in a weight ratio butadiene:isoprene in the range of 30:70 to 70:30 (Pg. 4, lines 9-15). The aromatic vinyl compound is preferably styrene (Pg. 4, lines 20-25). The block copolymers according to the present invention each preferably have a weight average molecular weight ranging from 100,000 to 500,000 (Pg. 5, lines 21-24). The block copolymers have a bound styrene content of 10 to 50% by weight (Pg. 5, lines 7-8) and a coupling efficiency of from 81 to 87% (Pg. 19, Table 2).

Regarding claim 21, De Keyzer et al. additionally teaches that the vinyl content of butadiene is 8 weight percent and the vinyl content in isoprene is 5 weight percent (Pg. 19, Table 2).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


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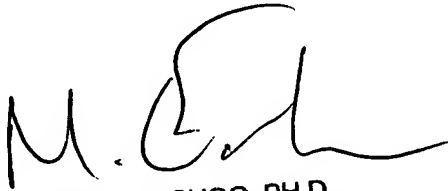
*Correspondence*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela C. Scott whose telephone number is (571) 270-3303. The examiner can normally be reached on Monday through Friday, 7:30am to 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ACS   
October 25, 2007

  
MARK EASHOO, PH.D.  
SUPERVISORY PATENT EXAMINER  
26/Oct/07